



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of

Arnd Buchwald

Confirmation No. 8844

Serial No: 10/560,431

Group Art Unit: 1632

Filed: December 14, 2005

Examiner: not yet assigned

For: USE OF A VEGF RECEPTOR GENE OR GENE PRODUCT

Commissioner for Patents

PO Box 1450

Alexandria, Virginia 22313-1450

**COMMUNICATION and SUBMISSION OF
DECLARATION DOCUMENT**

Sir:

Applicant respectfully submits an executed declaration for the above-identified patent application. It has come to the applicants' attention that a Notice of Acceptance was issued in error for this application on April 6, 2005 (copy attached). Please note that an executed declaration was not filed with the filing of the application. Under 35 U.S.C 371, the application is not complete and does not receive a filing date until all requirements are met. These requirements include an executed Oath or Declaration. Therefore, applicants respectfully submit the attached executed Declaration.

It is noted that the \$130.00 surcharge for filing the declaration after the 30-month national date was paid upon filing of the application on December 14, 2005.

Therefore, it is deemed that no fees should be required for filing the declaration at this time. If it is decided that any fee is required for filing the declaration, the Patent Office is hereby authorized to charge the attorney's Deposit Account No. 50-2041 and asked to notify us accordingly.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'M. Whitham', with a stylized, flowing script.

Michael E. Whitham
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